

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

LOUIS "BOY" WINTERS,

Plaintiff,

v.

ORDER

Civil File No. 11-2625 (MJD/SER)

SCOTT FISCHER,

Defendant.

Louis "Boy" Winters, pro se.

Erika R. Mozangue, Assistant United States Attorney, Counsel for Defendant.

The above-entitled matter comes before the Court upon the Report and Recommendation of United States Magistrate Judge Steven E. Rau dated October 26, 2011. Plaintiff Louis "Boy" Winters filed objections to the Report and Recommendation.

Pursuant to statute, the Court has conducted a de novo review upon the record. 28 U.S.C. § 636(b)(1); Local Rule 72.2(b). Based upon that review, the Court **ADOPTS** the Report and Recommendation of United States Magistrate Judge Rau dated October 26, 2011.

Accordingly, based upon the files, records, and proceedings herein, **IT IS**

HEREBY ORDERED:

1. The Court **ADOPTS** the Report and Recommendation of United States Magistrate Judge Steven E. Rau dated October 26, 2011 [Docket No. 8].
2. Plaintiff's application to proceed in forma pauperis [Docket No. 2] is **DENIED**.
3. This action is summarily **DISMISSED**.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: January 10, 2012

s/ Michael J. Davis

Michael J. Davis
Chief Judge
United States District Court